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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/547,369	04/11/2000	Brian Mitchell Bass	RAL9-00-0032	4270

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EXAMINER

VU, VIET DUY

ART UNIT	PAPER NUMBER
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2154

13

DATE MAILED: 05/18/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/547,369

Applicant(s)

BASS ET AL.

Examiner

Viet Vu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 7-12, 14-18 and 20 is/are rejected.
- 7) ☒ Claim(s) 6, 13 and 19 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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DETAILED ACTION

Art Rejections:

1. The texts of 35 U.S.C. § 102(e) and 103(a) cited in the previous office action are hereby incorporated by reference.

2. Claims 1-4, 8-11 and 14-17 are rejected under 35 U.S.C. § 102(e) as being clearly anticipated by Edsall et al, U.S. pat. No. 6,735,198.

Per claims 1-2, Edsall discloses a prior art multi-port network switch having distributed forwarding tables comprising:

a) an ingress port (P0, fig. 3) for receiving a data frame from a first device A, the data frame containing a source MAC address for the first device and a destination MAC address for a second device B (see col 3, lines 51-53),

b) a target port (P1, fig. 3) connected to the second device B,

c) a forwarding table for forwarding the received data frame to the target port corresponding to the second device (col 3, lines 57-59),

d) means for learning the source MAC address locally to the target port, i.e., by storing the source MAC address and the corresponding port in the forwarding table (see col 3, lines 60-61).

Per claim 3, Edsall teaches using the locally learned MAC address for performing frame forwarding (see col 3, lines 53-57).

Per claim 4, Edsall also teaches aging an entry in the forwarding table (see col 17, lines 41-47).

Claims 8-11 and 14-17 are similar in scope as that of claims 1-4 and hence are rejected for the same rationale set forth above.

3. Claims 5, 7, 12, 18 and 20 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Edsall and further in view of Brice, Jr. et al, U.S. pat. No. 4,825,206.

Edsall does not teach reporting entries of a routing table (including MAC addresses) to a network operator. The use of such network monitoring technique is well known in the art as disclosed by Brice (see Brice's col 10, lines 20-43).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Edsall with Brice's teaching because it would have enabled routing data in the network more effectively, i.e., avoiding failed links (see Brice's col 10, lines 38-43).

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Allowable Subject Matter:

4. Claims 6, 13 and 19 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Amendment:

5. Applicant's arguments in the Appeal Brief filed on 3/30/04 with respect to rejected claims are moot in view of new grounds of rejection set forth above.

Applicant alleges that prior art of record fails to teach learning MAC address locally to the target port.

The examiner submits that the newly applied art, Edsall, now more clearly shows the claimed invention. Particularly, Edsall shows an example in which the source MAC address is learned locally to the target port when the data frame is forwarded within the same line card of the multi-port switch as discussed in item 2 above, i.e., the ingress port and target port are on the same line card.

Conclusion:

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Viet Vu whose telephone number is (703) 305-9597. The examiner can

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normally be reached on Monday through Friday from 7:00am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee, can be reached on (703) 305-8498.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-9600.



VIET D. VU
PRIMARY EXAMINER

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5/14/04